

No. 4286-ILab-77/12441.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workman and the management of M/s ALPS Industries, 1&2 D.L.F., Industrial Estate, 13/4, Mathura Road, Faridabad;—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 186 of 1976

between

SHRIMATI PREM WATI, WORKMAN AND THE MANAGEMENT OF M/S ALPS  
INDUSTRIES, 1&2 D.L.F., INDUSTRIAL ESTATE, 13/4, MATHURA  
ROAD, FARIDABAD

Present :

Shri Pasham Singh, for the workman.

Nemo, for the management.

#### AWARD

By order No. ID/FD/1062-A-76/32592, dated 1st September, 1976, the Governor of Haryana referred the following dispute between the management of M/s ALPS Industries, 1&2 D.L.F., Industrial Estate, 13/4, Mathura Road, Faridabad and its workman Shrimati Prem Wati to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shrimati Prem Wati was justified and in order? If not, to what relief is she entitled?

On receipt of the reference, notices were issued to the parties. The management was served. The representative of the management also appeared three times but she did not appear on 10th February, 1977, when the case was fixed for settlement and in case of failure of settlement for filing the written statement by the management. Left with no other alternative, the management was proceeded against *ex parte*, and the case was fixed for *ex parte* evidence of the workman on 4th April, 1977. The workman concerned appeared that day and examined herself as W.W. 1. She stated that she was employed on 3rd November, 1975, at Rs 120 P.M. on a Threading Machine. She met with an accident on duty and then she was admitted in the B. K. Hospital, Faridabad for about 2 months. After being discharged from the hospital, she had to take private treatment also. She got fit on 16th April, 1976. She went to the factory but was not given work. The management had told her that they had no work for her, although the machine on which she was working was being worked then. She made a report to the Labour Inspector. The Labour Inspector called for the management but the management did not appear. He then sent the demand notice to the management, copy to Conciliation Officer. The management appeared in conciliation proceedings but conciliation failed.

From the *ex parte* evidence of the workman, I am of the view that the service of the workman has been terminated unjustifiably and illegally. I, therefore, give my award as follows:—

That the termination of services of the workman concerned was neither justified nor in order. She is entitled to reinstatement with continuity of service and with full back wages.

NATHU RAM SHARMA,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

Dated the 12th April, 1977.

No. 416, dated the 28th April, 1977

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

Dated the 28th April, 1977.